

CLERK
U.S. BANKRUPTCY
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No. 22-10434-GLT
	:	
KEITH A. PIERCE,	:	Chapter 13
	:	
<i>Debtor.</i>	:	
	:	
KEITH A. PIERCE,	:	
	:	
<i>Movant,</i>	:	Related to Dkt. Nos. 111, 118 & 122
v.	:	
	:	
BARBARA PIERCE, et al.,	:	
	:	
<i>Respondents.</i>	:	
	:	

ORDER AMENDING SALE ORDER

On October 20, 2023, the Court issued its *Modified Order Confirming Private Sale of Real Estate Free and Divested of Liens* [Dkt. No. 118] (the “Sale Order”) which approved the sale of certain real property owned by the Debtor, Keith A. Pierce, to Nathaniel J. Brosig for \$110,000. On October 30, 2023, the Debtor filed a *Motion for Modified Sale Order* [Dkt. No. 122] (the “Motion”) contending that the legal description in the *Sale Order* is inaccurate. After having reviewed the *Motion* and finding good cause therein, it is hereby **ORDERED, ADJUDGED, and DECREED** on this 31st day of October 2023 that:

1. The *Motion for Modified Sale Order* [Dkt. No. 122] is **GRANTED** as provided herein. The legal description contained on page two of the *Modified Order Confirming Private Sale of Real Estate Free and Divested of Liens* [Dkt. No. 118] is hereby modified, amended, and superseded by striking the following language from the Sale Order:

All that certain piece or parcel of land situate in Township of Fairview, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the southeast corner of the whole piece at a stake in the northerly line of Old Ridge Road; thence along the northern line of said road, South 74° West, passing an iron pipe in a line between Tracts 315 and 316 at distance of 45.69 feet, 119.71 feet; thence along the north line of Old Ridge Road, 72 feet to an iron pipe (being the southeast corner of the land now or formerly of George E. Norton); thence North 26° West along land now or formerly of George E. Norton, 559.4 feet to a point in the southerly line of Pennsylvania State Highway Route 272-5 (being the place of beginning); thence North 65° 46' East along said road 72 feet to a point; thence South 26° West, 225 feet to a point; thence east parallel with U.S. Route 20, fifteen (15) feet to a point; thence south, perpendicular to U.S. Route 20, 44 feet to a point; thence West, parallel with U.S. Route 20, 87 feet to a point; thence North 26° West, 269 feet to the place of beginning.

and replacing it with the following:

All that certain piece or parcel of land situate in the Township of Fairview, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the south line of U.S. Route 20 at a point One Hundred Forty (140) feet East along a perpendicular from the west line of land conveyed to George E. Norton and wife, by Deed recorded in Erie County Deed Book 415, at Page 491, said point also being the east line of land of Frank R. Cardamone and wife, described in Deed Book 494, Page 524, THENCE from said point Eastwardly along the south line of U.S. Route 20, One Hundred Forty-eight and 55/100ths (148.55) feet, more or less, to the east line of said land conveyed to George E. Norton and wife by said Deed recorded in Deed Book 415, Page 491, THENCE South 26° East along said east line Two Hundred Fifty (250) feet, THENCE Westwardly to the southeast corner of land of said Frank R. Cardamone and wife, said corner being One Hundred Forty (140) feet perpendicularly East from the west line of said George E. Norton and wife, THENCE Northwardly along the east line of said Frank R. Cardamone and wife, Two Hundred Fifty (250) feet to the place of beginning, being part of Tract 316.

ALSO, all that certain piece or parcel of land situate in the Township of Fairview, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the southeast corner of the whole piece at a stake in the northerly line of Old Ridge Road; thence along the northern line of said

road, South 74° West passing an iron pipe in a line between Tracts 315 and 316 at distance of 45.69 feet 119.71 feet; thence along the north line of Old Ridge Road, 72 feet to an iron pipe (being the southeast corner of the land of George E. Norton); thence North 26° West along land of George E. Norton, 559.4 feet to a point in the southerly line of Pennsylvania State Highway 272-5 (being the place of beginning); thence North 65° 46' East along said road 72 feet to a point; thence South 26° East 225 feet to a point; thence east parallel with U.S. Route 20 fifteen (15) feet to a point; thence south perpendicular to U.S. Route 20, 44 feet to a point; thence West parallel with U.S. Route 20, 87 feet to a point; thence North 26° West 269 feet to the place of beginning.

2. This *Order to Amend Sale Order* shall be deemed an amendment to the *Sale Order* as expressly provided herein. All other terms of the *Sale Order* not expressly referenced herein remain in full force and effect.

3. The Court retains jurisdiction to interpret the terms of the *Sale Order* as modified herein.

ENTERED at Pittsburgh, Pennsylvania.

Dated: October 31, 2023



GREGORY L. TADDONO
CHIEF UNITED STATES BANKRUPTCY JUDGE

In re:
Keith A. Pierce
Debtor

Case No. 22-10434-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: auto

Page 1 of 2

Date Rcvd: Oct 31, 2023

Form ID: pdf900

Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 02, 2023:

Recip ID	Recipient Name and Address
db	+ Keith A. Pierce, 1748 Clifford Dr., Erie, PA 16505-2806
r	+ Mary Magorien, Howard Hanna Real Estate Services, 3738 Sterrettania Road, Erie, PA 16506-2829

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 02, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 31, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmllawgroup.com
Maribeth Thomas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION mthomas@tuckerlaw.com, maribeth.thomas@gmail.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecl@chapter13trusteewdpa.com
Stephen H. Hutzelman	on behalf of Debtor Keith A. Pierce stephen@hh-legal.com shutzelman@ecf.inforuptcy.com;ann@hh-legal.com

District/off: 0315-1

User: auto

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Date Rcvd: Oct 31, 2023

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Total Noticed: 2

TOTAL: 5